

New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

Phone: (845) 256-3045 • FAX: (845) 255-3414

Website: www.dec.ny.gov



Joe Martens
Commissioner

July 11, 2012

Dennis J Hu
BASF Catalysts LLC
1057 Lower South St
Peekskill, NY 10566

**RE: Draft Title V Permit Renewal
BASF CORP
DEC ID# 3-5512-00041/00083**

Dear Mr. Hu:

Please be advised that your application for a DEC Title V Permit is complete and a technical review has commenced. Notice and the opportunity for public comment are required for this application. Enclosed is a Notice of Complete Application for your facility. Please have the Notice published in the official newspaper of Peekskill once during the week of July 16, 2012 or as soon as possible thereafter, on any day Monday through Friday. Contact the City of Peekskill Clerk's Office to confirm the official newspaper.

Only the Notice of Complete Application that information presented between the bold horizontal lines, on the enclosed pages should be published. Do not print this letter or the information contained below the second bold horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication, promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper. Notification of this complete application is also being published by this Department in the *NYS Environmental Notice Bulletin*.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary, to reach a decision on your application. Your project is classified Major under the Uniform Procedures Act. Accordingly, a decision is due within 30 days of the date of this Notice, unless a public hearing is held, which may extend this timeframe. If a public hearing is necessary, you will be notified.

Please contact me at (845) 256-3048, if you have any questions.

Sincerely,

Kenneth R. Grzyb, P.E.
Regional Air Pollution Control Engineer

KRG/aav
Enclosure

ecc: S. Riva, USEPA, Region 2

New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

Phone: (845) 256-3045 • FAX: (845) 255-3414

Website: www.dec.ny.gov



August 22, 2012

Steven Riva, Chief Permitting Section
Air Programs Branch
US EPA Region 2
290 Broadway
New York, NY 10007-1866

RE: **Proposed Title V Facility Permit Renewal**
BASF Corporation
DEC ID# 3-5512-00041/00083

Dear Mr. Riva:

The proposed permit modification for the above referenced facility's Title V Permit is available for the required EPA 45-day review period. The Proposed Permit is available to you via the Department's AFS computer system.

The Department's Notice of Complete Application was published in a local newspaper and the DEC's Environmental Notice Bulletin providing the required 30-day public notice period. This notice referenced the availability of the Draft Permit. The comment period has expired. No comments were received, and the Proposed Permit has no substantive changes from the Draft Permit.

The Department will not issue the Final Permit if EPA objects to its issuance within 45 days of receipt of the Proposed Permit and all necessary supporting information. We understand that the official review period start and end dates are recorded in your Title V Operating Permits Database (http://www.epa.gov/region02/air/permit/title_v_database.htm).

If you have technical questions about this permit, you may contact Densford Escarpeta at (914) 428-2505 x352. Please provide any written comments to my attention on or before the review period end date.

Sincerely,

Kenneth R. Grzyb, P.E.
Regional Air Pollution Control Engineer

KRG/krq

ecc: D. Escarpeta

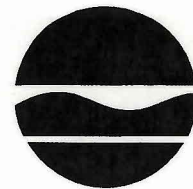
New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3045 • FAX: (845) 255-0716

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

July 5, 2007

DENNIS J HU
BASF CATALYSTS LLC
1057 LOWER SOUTH ST
PEEKSKILL NY 10566

RE: Title V Air Facility Permit
BASF Corporation
DEC ID#3-5512-00041/00083

ENVIRONMENTAL PROTECTION
AGENCY, REGION II
2007 JUL 12 PM 2:41
DEPP-APB

Dear Mr. Hu:

Enclosed is your Title V Air Facility Permit for BASF Corporation. This permit is valid for only those activities expressly authorized therein; activities conducted beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Any future activities which are not reflected in the respective permit will result in the need for a permit modification.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date.

The DEC Permit ID and Facility ID numbers noted on the top of the first page of your permit should be referenced on all related correspondence and on any future applications for permits associated with the facility.

Please do not hesitate to contact me or Mr. Descarpeta of my staff at (914) 428-2505, Extension 352, if you have any questions.

Sincerely,

Kenneth R. Grzyb, P.E.
Regional Air Pollution Control Engineer

KRG/adm
Enclosure

cc: (w/enclosure)
S. Riva, EPA Region II
D. Escarpeta, P.E. - Division of Air Resources

New York State Department of Environmental Conservation
Facility DEC ID: 3551200041



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 3-5512-00041/00083
Effective Date: 06/28/2007 Expiration Date: 06/27/2012

Permit Issued To: BASF CORP
100 CAMPUS DRIVE
FLORHAM PARK, NJ 07932

Contact: DENNIS J HU
BASF CATALYSTS LLC
1057 LOWER SOUTH ST
PEEKSKILL, NY 10566
(914) 737-2554

Facility: BASF CORP
1057 LOWER SOUTH ST
PEEKSKILL, NY 10566

Description:
BASF Title V Permit Renewal

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: KENNETH R GRZYB
NYSDEC REGION 3
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561

Authorized Signature: _____

Date: 7/5/07

ENVIRONMENTAL PROTECTION
AGENCY, REGION II
2007 JUL 12 PM 2:42
DEPP-APB



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PAGE LOCATION OF CONDITIONS

PAGE

DEC GENERAL CONDITIONS

General Provisions

- 2 Facility Inspection by the Department
- 2 Relationship of this Permit to Other Department Orders and Determinations
- 2 Applications for permit renewals, modifications and transfers
- 3 Applications for Permit Renewals and Modifications
- 3 Permit modifications, suspensions or revocations by the Department
- 3 Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- 4 Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS

ENVIRONMENTAL PROTECTION
AGENCY, REGION II
2007 JUL 12 PM 2:42
DEPP-APB



DEC GENERAL CONDITIONS

****** General Provisions ******

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:

Permits are transferrable with the approval of the department unless specifically prohibited by the



statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 4.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 4.3:

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 6: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 6.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions,

New York State Department of Environmental Conservation
Facility DEC ID: 3551200041



relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 7: Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 7.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054

ENVIRONMENTAL PROTECTION
AGENCY REGION II
2007 JUL 12 PM 2:42
DEPP-APB

New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3045 • FAX: (845) 255-0716

Website: www.dec.state.ny.us

ENVIRONMENTAL PROTECTION
AGENCY, REGION II

2007 MAY -9 PM 2: 24

DEPP-APB



Alexander B. Grannis
Commissioner

May 3, 2007

Steven Riva, Chief Permitting Section
Air Programs Branch
US EPA Region 2
290 Broadway
New York, NY 10007-1866

**RE: Proposed Permit - Title V Facility Permit Renewal
BASF Corporation
DEC ID#3-5512-00041/00083**

Dear Mr. Riva:

The Proposed Permit for the above referenced facility's Title V Facility Permit is available for the required EPA 45-day review period. The Proposed Permit is available to you via the Department's AFS computer system.

The Department's Notice of Complete Application was published in a local newspaper and the DEC's Environmental Notice Bulletin, providing the required 30-day public notice period. This notice referenced the availability of the Draft Permit. No comments were received, and the Proposed Permit has no substantive changes from the Draft Permit.

The Department will not issue the Final Permit if EPA objects to its issuance within 45 days of receipt of the Proposed Permit and all necessary supporting information. We understand that the official review period start and end dates are recorded in your Title V Operating Permits Database (http://www.epa.gov/region02/air/permit/title_v_database.htm).

You may contact Mr. Denny Escarpeta at (914) 428-2505, Extension 352, if you have technical questions about this permit. Please provide your comments to my attention on or before the review period end date.

Sincerely,

Kenneth R. Grzyb, P.E.
Regional Air Pollution Control Engineer

KRG/adm

cc: D. Escarpeta, P.E. - Division of Air Resources

basfepacomment

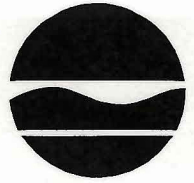
New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3045 • FAX: (845) 255-0716

Website: www.dec.state.ny.us



March 7, 2007

DENNIS J HU
BASF CATALYSTS LLC
1057 LOWER SOUTH ST
PEEKSKILL NY 10566

RE: Title V Permit Renewal
BASF Catalysts LLC
DEC ID#3-5512-00041/00083

Dear Mr. Hu:

Please be advised that your application for a DEC Title V Permit Renewal is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your facility. Please have the Notice published in the official newspaper of the City of Peekskill once during the week of March 19, 2007 on any day Monday through Friday. Contact the City of Peekskill's Clerk's office to confirm the official newspaper.

Only the Notice of Complete Application, that information presented between the bold horizontal lines, on the enclosed pages should be published. Do not print this letter or the information contained below the second bold horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication, promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper. Notification of this complete application is also being published by this Department in the *NYS Environmental Notice Bulletin*.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary, to reach a decision on your application. Your project is classified Major under the Uniform Procedures Act. Accordingly, a decision is due within 30 days of the date of this Notice, unless a public hearing is held, which may extend this timeframe. If a public hearing is necessary, you will be notified.

Please contact me at (845) 256-3048, if you have any questions.

Sincerely,

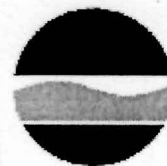
Kenneth R. Grzyb, P.E.
Regional Air Pollution Control Engineer

KRG/adm
Enclosure

cc: S. Riva, USEPA, Region 2

bastnot

THIS IS NOT A PERMIT



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 03/06/2007

Applicant: BASF CORP
100 CAMPUS DRIVE
FLORHAM PARK, NJ 07932

Facility: BASF CORP
1057 LOWER SOUTH ST
PEEKSKILL, NY 10566

Application ID: 3-5512-00041/00083

Permits(s) Applied for: 1 - Article 19 Air Title V Facility

Project is located: in PEEKSKILL in WESTCHESTER COUNTY

Project Description:

The Department has prepared a Draft Permit pursuant to Article 19 (Air Pollution Control) of the NYS Environmental Conservation Law (ECL) and Title V of the Federal Clean Air Act Amendments and made a tentative determination to approve this application for the Applicant's facility located in Peekskill, New York.

This is a Title V renewal permit for the BASF Corporation (formally Engelhard Corporation) Peekskill Pigments Plant facility. The facility consists of approximately 40 buildings located on approximately 15 acres of land.

The Peekskill Pigments Plant produces pigments consisting primarily of titanium-coated mica and iron oxide coated mica, as well as bismuth oxychloride products. In manufacturing the titanium coated mica, the mica is first classified by particle size and then transferred as slurry into reaction vessels for mixing. The slurry is then washed and dewatered on a vacuum filter, then dried in a furnace to fix the coating. The dried product is then pneumatically conveyed to tote bins, and may then be further packaged. In manufacturing the iron oxide coated mica, the process is similar to that for titanium coated mica. The permit authorizes a number of regulated processes employed in the mica coating operation including the facility emission units and source controls for particulate emission.

This permit also includes the facility's Specialty Films Plant (IF Plant), which is located across from South St. from the Peekskill Pigments Plant. The iridescent films produced at the IF plant are layered polyester and acrylic based. Plastic resins are pre-dried and pneumatically conveyed, melted, and sent to an extruder where they are extruded into layered sheets, cooled on a cast roll, trimmed and rolled.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

In accordance with 6NYCRR Parts 621.5(d)(9) and 201-6.4(c), the Administrator of the United States Environmental Protection Agency (USEPA) has the authority to bar issuance of any Title V Facility Permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

The Draft Permit and Permit Review Report may be viewed and printed from the Department web site at: <http://www.dec.state.ny.us/website/dar/boss/afs/index.html>. Persons wishing to inspect the subject Title V files, including the application with all relevant supporting materials, the draft permit, and all other materials available to the DEC (the "permitting authority") that are relevant to this permitting decision should contact the

DEC representative listed below. It is recommended that an appointment be made to confirm the availability of the subject files. The DEC will endeavor to make the files available within two (2) business days of contact, during normal business hours

(8:30 am through 4:45 pm), unless the requestor wishes to inspect the files at a later date.

DEC will evaluate the application and the comments received on it to determine whether to hold a public hearing. A public hearing may be legislative or adjudicatory. A legislative public hearing is a proceeding which provides an additional opportunity for public comment. DEC's determination to hold a legislative public hearing will be based on whether a significant degree of public interest exists. If a legislative public hearing is to be held, a Notice of Hearing will be published which will include the time and place of the hearing and submitting comments. The applicant and all persons who have filed comments on the permit will be notified by mail of the public hearing. Comments and requests for a legislative public hearing should be in writing and addressed to the Department representative listed below.

An adjudicatory public hearing is a trial type proceeding which provides the opportunity for adjudication on the basis of evidence, including direct testimony and cross examination. An adjudicatory hearing is held only if substantive and significant issues relating to any findings or determinations the Department is required to make pursuant to the Environmental Conservation Law. A copy of the Department's permit hearing procedures is available upon request or on the Department web site at:
<http://www.dec.state.ny.us/website/ohms/gudph1.htm>.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection under the provisions of the Freedom of Information Law during normal business hours at the address of the contact person.

State Environmental Quality Review (SEQR) Determination

Project is not subject to SEQR because it is a Type II action.

SEQR Lead Agency None Designated

State Historic Preservation Act (SHPA) Determination

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 04/13/2007

Contact Person

KENNETH R GRZYB *KRG*
NYSDEC
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561-1620
(845) 256-3048

CC List for Complete Notice

Mayor - City of Peekskill
S. Riva- USEPA, Region 2

B. Kwetz - MA DEP
I. Atay - NJ DEP
J. Salvaggio - PA DEP
C. DiBattista - CT DEP